

REMARKS

This is in response to the Office Action mailed September 28, 2005 for the above identified application. A response is due on October 28, 2005. The Examiner has required restriction of the claims in the present application to one of the following inventions:

- Group I: claims 1-6, drawn to a process of treating a disease state associated with vascular targeting comprising administering a combination of vascular targeting agent and an anti-hypertensive agent.
- Group II: claims 9-14, drawn to a process of making said pharmaceutical combination.

The Examiner has stated that the product claims (7-8) will be examined along with the elected invention. In response, Applicant hereby elects without traverse the invention of Group I.

The Examiner also required election for searching purposes of a single disclosed species from each group of vascular targeting agents and anti-hypertensive agents. Accordingly, Applicants elect the following species: vascular targeting agent is combretastatin and anti-hypertensive agent is vasodilator (sodium nitroprusside). It is Applicant's understanding that this species election is for searching purposes only and upon a finding of allowability of the elected species, the remaining species will also be searched. It is Applicant's further understanding that under 35 U.S.C. §121, upon required election of a single species for prosecution on the merits, the claims will be restricted to said species if no generic claim is finally held allowable. Applicant further understands that upon the allowance of a generic claim, he will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141 *et seq.*

Claims 1-8 and 15-53 are currently pending in the case. Applicants have canceled claims 9-14 and added new claims 15-53. Support for the new claims can be found as follows. All page and line references refer to the as-filed application.

claim 15: pg. 11 (lines 13-21)
claim 16: pg. 6 (lines 20) through pg. 7 (line 7)
claim 17: pg. 7 (lines 8-22)
claim 18: pg. 2 (lines 19-20), pg. 4 (lines 27-30)
claim 19: pg. 5 (lines 1-6)
claim 20: pg. 5 (lines 6-7)
claim 21: pg. 4 (lines 27-30), pg. 8 (lines 12-15)
claim 22: pg. 5 (lines 1-6)
claim 23: pg. 5 (lines 1-7)
claim 24: pg. 3 (lines 4-7), pg. 6 (lines 10-12), pg. 16 (lines 9-12, 15-20, 24-26, 29-31), pg. 17 (lines 24-25), pg. 19 (lines 5-7, 29-32)
claim 25: pg. 13 (lines 1-4)
claim 26: pg. 2 (lines 9-10), pg. 10 (line 12) through pg. 11 (line 5)
claim 27: pg. 10 (lines 5-7)
claim 28: pg. 12 (lines 8-16)
claim 29: pg. 4 (lines 20-22), pg. 5 (lines 17-19)
claim 30: pg. 5 (lines 17-19), pg. 16 (lines 24-26)
claim 31: pg. 5 (lines 17-19), pg. 16 (lines 29-32)
claim 32: pg. 16 (lines 21-24)
claim 33: pg. 3 (lines 7-15, 24-27), Example 1 (pages 15-17)
claim 34: pg. 4 (lines 27-30)
claim 35: pg. 4 (lines 27-30)
claim 36: pg. 6 (lines 20-22), pg. 7 (lines 8-11)
claim 37: pg. 6 (lines 22-26)
claim 38: pg. 7 (lines 8-11)
claim 39: pg. (lines 13-21)
claim 40: pg. 6 (lines 20) through pg. 7 (line 7)
claim 41: pg. 7 (lines 8-22)

claim 42: pg. 2 (lines 19-20), pg. 4 (lines 27-30)
claim 43: pg. 5 (lines 1-6)
claim 44: pg. 5 (lines 6-7)
claim 45: pg. 4 (lines 27-30), pg. 8 (lines 12-15)
claim 46: pg. 5 (lines 1-6)
claim 47: pg. 5 (lines 1-7)
claim 48: pg. 3 (lines 4-7), pg. 6 (lines 10-12), pg. 16 (lines 9-12, 15-20, 24-26,
29-31), pg. 17 (lines 24-25), pg. 19 (lines 5-7, 29-32)
claim 49: pg. 13 (lines 1-4)
claim 50: pg. 4 (lines 20-22), pg. 5 (lines 17-19)
claim 51: pg. 5 (lines 17-19), pg. 16 (lines 24-26)
claim 52: pg. 5 (lines 17-19), pg. 16 (lines 29-32)
claim 53: pg. 16 (lines 21-24)

Applicants reserve the right to further prosecute the canceled subject matter in this or in another patent application. No new matter is added.

Applicants submit that the application is in condition for allowance, and such action is respectfully requested. No additional fees are believed due, but please charge any payments that may be due to Deposit Account No. 50-0311, reference 18217-515.

Should any questions or issues arise concerning the application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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